

# Notice of Allowability

Application No.

10/083,041

Examiner

Jaworski Francis J.

Applicant(s)

VILSMEIER, STEFAN

Art Unit

3737

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Rule 116 Amdt 4-29-04.
2. ☒ The allowed claim(s) is/are 12-15, 17-18
3. ☒ The drawings filed on 26 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 08/919,454.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 06242004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
Francis J. Jaworski  
Primary Examiner

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Don Bulson, Reg. No.28,192 on 06-24-04. The application has been amended as follows:

Claim 17 has been cancelled in favor of

-- 17. A surgical microscope control system comprising:

a microscope stand having a base, a microscope mounted to the stand for three-dimensional movement, a source of infrared radiation, at least two mapping infrared cameras, a computer unit connected to said cameras, a graphic display terminal connected to said computer unit, and at least three infrared radiation reflectors removably attached to said microscope in a characteristic arrangement, said microscope having optics and being adapted to focus the optics of said microscope on a point having known three-dimensional coordinates and provide focusing data representative of the coordinates of the point to the computer unit, said computer unit being adapted to receive said focal data from said microscope and to relate said focal data to the three-dimensional position of said microscope obtained by means of said reflectors and said cameras. --

Claim 23 has been cancelled.

The following is an examiner's statement of reasons for allowance with respect to Claim 12:

In addition to the citations of record, Gerig et al (US5446548) at Fig. 2 and col. 6 lines 42-59 and Rose et al (US4896673) Fig. 3 and col. 4 lines 36 – 54 pertain to referencing camera calibration involving a single calibration fixture of complicated geometry imaged at a single location by both cameras. The prior art does not teach or suggest the use of a two-reflector device moved three-dimensionally within the viewing range with mapping at several alternative positions in order to accomplish the referencing of a plurality of viewing cameras for their angular and spacing positions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

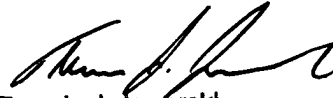
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preferably accompany the issue fee. Such submissions should be clearly labeled  
"Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Jaworski  
Francis J. at telephone number 703-308-3061.

FJJ:fjj

06-24-04



Francis J. Jaworski  
Primary Examiner